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HIGH COURT OF CHHATTISGARH, BILASPUR

CR. MISC. PET. NO.154/2007

PETITIONERS

1. Brijbhan Das @ Munna, Age 34 years, s/o Lt. Mahesh Das
2. Smt. Mayavati, age 72 years w/o Lt. Mahesh Das
3. Smt. Anjan Kunwar, age 70 years, w/o Lt. Mahesh Das
4. Ku. Vishwakumari, age 30 years D/o Lt. Mahesh Das

All R/o Village Kartala, Thana Kartala, District-Korba(CG)

Versus

RESPONDENT

State of Chhattisgarh, Through P.S. Thana Kartala, District-Korba(CG)

Appearance:

Dr. Shailesh Ahuja, counsel for the petitioners.

Shri Arun Sao, Government Advocate for the State on advance copy.

ORAL ORDER
(04.07.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

This petition is directed against the order dated 6.7.2006, passed in Criminal Revision No. 10/2006 by the Additional Sessions Judge, Korba, whereby the said Court confirmed the order dated 28.3.2006, passed by the Judicial Magistrate First Class, Korba(CG) in Criminal Case No.396/2004, by which the said Court had framed the charges under Sections 498-A read with Section 34 IPC against all the petitioners/accused persons.

The brief facts are that on a complaint being made by the wife of petitioner No.1 namely- Smt. Lalita, crime No.75/2003 was registered in the concerned Police Station under Section 498-A read with Section 34 IPC. When the charge sheet was filed, the Magistrate framed charges under Section 498-A read with Section 34 IPC against all the accused persons, which was

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challenged by them before the Revisional Court and the Revisional Court dismissed their revision against which, this petition has been filed.

Learned counsel for the petitioners argues that there is no *prima facie* material against the petitioners to frame charges under the aforesaid Section of IPC.

I have gone through the copy of F.I.R. as also the statement of the victim recorded under Section 161 Cr.P.C.

In both the documents, there are allegations against all the accused persons regarding treating the complainant/victim with cruelty and on the basis of this material, the trial Court had framed the charges under Section 498-A read with Section 34 IPC, which was confirmed by the Revisional Court.

After going through the above documents, I do not find any reason to interfere in the orders passed by the 2 Courts below.

The petition has no merits. The same is not worth admission and is dismissed at the motion stage itself.

Sd/-
Sunil Kumar Sinha
Judge

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